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**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

MARIA KARLA TERRAZA,  
Individually and On Behalf of the  
SAFEWAY 401(K) PLAN,  
  
Plaintiff,

v.

SAFEWAY INC., BENEFIT PLANS  
COMMITTEE SAFEWAY INC. n/k/a  
ALBERTSONS COMPANIES  
RETIREMENT BENEFITS PLANS  
COMMITTEE, PETER J. BOCIAN,  
DAVID F. BOND, MICHAEL J.  
BOYLAN, ROBERT B. DIMOND,  
LAURA A. DONALD, DENNIS J.  
DUNNE, ROBERT L. EDWARDS,  
BRADLEY S. FOX, BERNARD L.  
HARDY, RUSSELL M. JACKSON,  
PEGGY JONES, SUZ-ANN KIRBY,  
ROBERT LARSON, MELISSA C.  
PLAISANCE, PAUL ROWAN,  
ANDREW SCOGGIN, and AON  
HEWITT INVESTMENT  
CONSULTING, INC.,  
  
Defendants.

CASE NO. 3:16-cv-03994-JST

**STIPULATION AND  
~~PROPOSED~~ ORDER FOR  
EXTENSION OF TIME FOR  
PLAINTIFF TO RESPOND TO  
DEFENDANT AON HEWITT  
INVESTMENT CONSULTING, INC.'S  
MOTION TO DISMISS SECOND  
AMENDED COMPLAINT AND TO  
CONTINUE HEARING DATE**

1 Plaintiff, Maria Karla Terraza ("Plaintiff"), individually and on behalf of the Safeway  
2 401(k) Plan, and Defendant, Aon Hewitt Investment Consulting, Inc. ("Aon"), by and through  
3 their respective counsel, hereby consent and stipulate as follows:

4 WHEREAS, Plaintiff filed the initial Complaint on July 14, 2016 [Dkt. No. 1];

5 WHEREAS, Plaintiff filed the operative Second Amended Complaint ("SAC") on March  
6 31, 2017 [Dkt. No. 72], adding Aon as a defendant;

7 WHEREAS, pursuant to the parties' stipulation on June 2, 2017 [Dkt No. 80], the parties  
8 agreed to extend the date for Aon's response to the SAC to June 22, 2017;

9 WHEREAS, Aon filed its Motion to Dismiss Second Amended Complaint on June 22,  
10 2017 [Dkt. No. 83] ("Motion to Dismiss"), with a hearing date noticed for August 24, 2017, at  
11 2:00 p.m. before the Honorable Jon S. Tigar;

12 WHEREAS, Plaintiff's response to Aon's Motion to Dismiss is currently due July 6, 2017  
13 and Aon's reply is due July 13, 2017;

14 WHEREAS, the parties have agreed on the following briefing schedule for Aon's Motion  
15 to Dismiss and to request the Court to continue the hearing date from August 24, 2017 to  
16 September 7, 2017 due to a pre-existing conflict on the part of Plaintiff's counsel;

17 IT IS THEREFORE STIPULATED AND AGREED AS FOLLOWS:

- 18 1. Plaintiff shall file her opposition to Aon's Motion to Dismiss by August 3, 2017;
- 19 2. Aon shall file its reply in support of its Motion to Dismiss by August 24, 2017;
- 20 3. The hearing date on the Motion to Dismiss shall be continued to ~~September 7,~~  
21 2017. September 12,

22  
23 In accordance with Civil L.R. 5-1(i), the filer of this document hereby attests that  
24 concurrence in the filing of this document has been obtained from the other signatory hereto.

25  
26  
27  
28 **IT IS SO STIPULATED:**

1  
2 Dated: July 5, 2017

Respectfully submitted,

3 SHEPHERD, FINKELMAN, MILLER  
4 & SHAH, LLP

5 /s/Kolin C. Tang  
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Dated: July 5, 2017

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*Attorneys for Defendant,  
Aon Hewitt Investment Consulting, Inc.*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: July 5, 2017

  
Jon S. Tigar,